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Attorney for Defendant
B & B Management Group, LLC,
dba Bellach's Leather for Living

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUSAN SANDELMAN, AS TRUSTEE
OF THE ESAN TRUST,

Plaintiff,

v.

B&B PROPERTY MANAGEMENT, LLC,
dba BELLACH'S LEATHER FOR LIVING,

Defendant.

No. CV 08-00681 HRL

EX PARTE APPLICATION OF MIKEL D.
BRYAN, COUNSEL FOR DEFENDANT B
& B MANAGEMENT GROUP, LLC, dba
BELLACH'S LEATHER FOR LIVING,
FOR AN ORDER GRANTING
APPLICANT RELIEF FROM ANY
PERSONAL APPEARANCE AT THE
HEARING ON APPLICANT'S MOTION
TO BE RELIEVED AS ATTORNEY OF
RECORD FOR DEFENDANT and ORDER
THEREON

Complaint Filed: January 29, 2008

Assigned Judge: Hon. Howard R. Lloyd

TO: THE HONORABLE HOWARD R. LLOYD:

Mikel D. Bryan ("Applicant"), attorney of record for the Defendant, B & B Management Group LLC ("the Defendant"), hereby applies to the Court, Ex Parte, for an order relieving Applicant from having to appear at the Law and Motion hearing set for August 12, 2008, on Application's Motion to be Relieved as Counsel for said Defendant.

This application is made on the grounds that Applicant, if required to appear at the law and motion hearing on August 12, 2008, will have to drive more than five hours to appear before the Court on this unopposed motion, which will exacerbate the financial losses already being incurred by Applicant as a result of the failure of the Defendant to pay its written obligations to pay the Applicant's attorney's fees and costs incurred in this matter.

1 The Motion to be Relieved as Counsel was timely served, no opposition has been
2 received from the client/defendant, and none is expected at the time of the hearing. Further,
3 Plaintiff's counsel has filed a Statement of Non-Opposition to the Motion. Applicant has
4 provided the Court with a proposed Order, relieving Applicant as the attorney of record for the
5 Defendant, in compliance with the Northern District of California local rules, and has fully
6 advised, in writing, the Defendant of the consequences of the Court's granting of the Applicant's
7 motion.

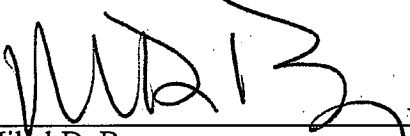
8 The undersigned has advised counsel for the Plaintiff, that this Application was being
9 made and a copy of it has been sent electronically to Counsel concurrently with the filing hereof.

10 The Court, at the time of the hearing on the Defendant's request for relief from its default
11 heard on July 15, 2008, stated that it would consider the Applicant's present request for an
12 Order, Ex Parte, if that Application was submitted shortly before the scheduled hearing date of
13 August 12, 2008, and no opposition appeared to be in the offing.

14 It is therefore, respectfully requested that the Court excuse the Applicant's personal
15 appearance at the law and motion hearing of August 12, 2008.

16 Respectfully submitted,

17 LAW OFFICES OF MIKEL D. BRYAN, P.C.

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19 _____
20 Mikel D. Bryan
21 Attorney for Defendant

22 Dated: August 7, 2008

ORDER

Having considered the Application of Mikel D. Bryan, counsel for the defendant, B & B Management Group LLC and good cause appearing,

IT IS HEREBY ORDERED that counsel for the defendant, B & B Management Group LLC, Mikel D. Bryan, is hereby excused from personally appearing at the hearing of Applicant's motion to be relieved as attorney of record for the defendant, B & B Management Group, LLC, set for hearing on August 12, 2008.

Howard R. Lloyd
United States Magistrate Judge